



Minutes of the Planning & Amenity Committee Meeting

held in the Council Chamber
Boxshall Street, Brighton
on Tuesday 20 January 2015
at 7.00pm

PRESENT:

Cr Alex del Porto (Chairman)
Cr Felicity Frederico (Mayor)
Cr Laurence Evans
Cr Michael Heffernan
Cr James Long BM JP
Cr Bruce Lowe
Cr Heather Stewart

OFFICERS IN ATTENDANCE:

Shiran Wickramasinghe	-	Director City Strategy
Stuart Caldwell	-	Statutory Planning Manager
Connor Perrott	-	Statutory Planning Co-ordinator
Terry Callant	-	Manager Governance

The Chairman declared the meeting open at 7.00pm and advised members of the public gallery that the Planning & Amenity Committee meeting is being recorded and streamed live on the internet to enhance the accessibility of these meetings to the broader Bayside Community.

APOLOGIES: There were no apologies submitted to the meeting.



DECLARATIONS OF INTEREST:

- There were no declarations of interest submitted to the meeting.

Confirmation of the Minutes of the Planning & Amenity Committee Meeting 8 December 2014**Moved: Cr Evans****Seconded: Cr Long**

That the Minutes of the Planning & Amenity Committee Meeting held on 8 December 2014 be confirmed.

CARRIED**TABLE OF CONTENTS**

Page No

REPORTS:

4.1	TREE REMOVAL APPLICATION – 3 NEPTUNE STREET, SANDRINGHAM ..4	
4.2	15 RAYMOND COURT, BRIGHTON EAST - Application No: 2014/577/1	5
4.3	21-27 HOLYROOD STREET, HAMPTON - Application No: 2014/4674/1	10
4.4	7 CHARLES STREET, BRIGHTON EAST - Application No: 2014/54/1	13
4.5	5 CLARKSON AVENUE, BRIGHTON – Application No: 2014/538/1	17
4.6	360 NORTH ROAD, BRIGHTON EAST – Application No: 2014/491/1	19
4.7	6 GEORGE STREET, HIGHETT– Application No: 2014/358/1	23
4.8	60 ARDOYNE STREET, BLACK ROCK - Application No: 2014/133/1	27
4.9	100 BAMFIELD STREET, SANDRINGHAM - Application No: 2014/232/1	31
4.10	116 LUDSTONE STREET, HAMPTON - Application No: 2007/804/1	33
4.11	6 CONNOR STREET, BRIGHTON EAST - Application No: 2012/531/1	34
4.12	24A IVY STREET, HAMPTON - Application No: 2001/7046/1	35

REQUESTS TO BE HEARD:

In accordance with Council's Governance Local Law No.1 clause 69, individuals are granted up to 3 minutes to speak upon written application.

Requests to be heard were received from the following people:

Item 4.1 Tree Removal Application – 3 Neptune Street Sandringham
1. Ms Michelle Tinsley

Item 4.2 15 Raymond Court Brighton East
1. Mrs Linda Rodier (A)

Item 4.6 360 North Road Brighton East
1. Ms Elouise Kukovee (O)

Item 4.8 60 Ardoyne Street Black Rock
1. Ms Magdaline Loiaou (A)

Item 4.9 100 Bamfield Street Sandringham
1. Mr Peter Tesdorpf (S)
2. Mr Matthew Burt (A)

Item 4.12 24A Ivy Street Hampton
1. Mrs Mary Youssef (A)

OFFICERS' REPORTS:

4.1 TREE REMOVAL APPLICATION – 3 NEPTUNE STREET, SANDRINGHAM

It is recorded that Ms Michelle Tinsley spoke for three minutes in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Lowe

That Council resolves to grant a permit for the removal of a Mealy Stringybark (*Eucalyptus cinerea*) which is located at 3 Neptune Street, Sandringham, subject to the planting of a suitable replacement canopy tree to the satisfaction of the Manager Amenity Protection.

CARRIED

4.2 15 RAYMOND COURT, BRIGHTON EAST

It is recorded that Mrs Linda Rodier spoke for three minutes in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Stewart

That Council having caused notice of Planning Application No. 2014/577/1 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 15 Raymond Court BRIGHTON EAST for the construction of two double storey dwellings in a Special Building Overlay in accordance with the plans dated 30 September 2014, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The deletion of the artist's studio as part of dwelling 1;
 - b) The Manna Gum in the front setback retained;
 - c) The first floors of the dwellings recessed behind the garages without reducing rear or side setbacks;
 - d) A notation that the existing crossover is to be removed and replaced in accordance with Council's specifications;
 - e) Trellis extension to boundary fences along the western boundary for a length of 12.0m starting at the north-west corner of the site and along the eastern boundary starting at the north-east corner of the site for a length of 6.425m to reach an overall height of 2.3m above natural ground level;
 - f) The west-facing first floor windows of the retreat of dwelling 1 screened in accordance with the provisions of Standard B22 of Clause 55 of the Bayside Planning Scheme;
 - g) A landscape plan in accordance with Condition 9 of this planning permit;
 - h) Location of clotheslines;
 - i) All building services and equipment located so as to not impact adversely upon the general amenity of neighbouring properties;
 - j) The tree Protection Zone (TPZ) of the Manna Gum as noted in the Arborist report prepared by Total tree care in May 2013;
 - k) Location of water tanks in accordance with the STORM report submitted with application;
 - l) The matters required by conditions 10 and 11 of this permit;
 - m) The matters required by the Melbourne Water conditions of this permit.

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Before the development starts, a schedule of construction materials, external finishes and colours to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.
4. Before the occupation of the site commences or by such later date as is approved in writing by the responsible authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the Responsible Authority.
5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings without the written consent of the Responsible Authority
7. The wall on the boundary of the adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
8. Vehicular crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the responsible authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
9. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.
The plan must show:
 - a) A survey of all existing vegetation to be retained and/or removed
 - b) Buildings and trees including botanical names on neighbouring properties within three metres of the boundary
 - c) Details of surface finishes of pathways and driveways
 - d) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
 - e) Landscaping and planting within all open areas of the site
 - f) A canopy tree in the rear setback of dwelling 2 to reach a minimum mature height of 7.0m
 - g) The retention of the Manna Gum located over the existing easement extending north-south through the site.

All species selected must be to the satisfaction of the Responsible Authority.
The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

10. An Arboricultural Impact Assessment which provides specific details of the construction methods to be used to minimise impacts on the Manna Gum to be retained must be submitted for approval by the Responsible Authority prior to the commencement of building works. The report must demonstrate to the satisfaction of the Responsible Authority that this tree will remain viable post construction. The arboricultural impact assessment must be prepared in accordance with AS 4970 – 2009 - *Protection of Trees on Development Sites*, Section 2.3.5 and must explain the design and construction methods proposed to minimize impacts on the tree where there is encroachment into the TPZ. This report is also to include trees on neighbouring properties which have TPZs that extend into the subject site.
11. A tree protection plan for the Manna Gum to be retained must be submitted prior to the commencement of building works. This report must be prepared in accordance with AS 4970 – 2009 *Protection of Trees on Development Sites* and specify protection measures for all stages of the development, including demolition of the existing dwelling.
12. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.
14. Before the development including demolition starts, a tree protection fence must be erected around the Manna Gum at the edge of the TPZ. The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. The ground surface of the Tree Protection Zone must be covered by a 100 mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the Responsible Authority.
15. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone of the Manna Gum without the written consent of the responsible authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.
16. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.
17. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council standards.
18. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
19. Any seepage/agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.

20. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - a) A trench grate (150mm minimum internal width) located within the property and/or
 - b) Shaping the driveway so that water is collected in a grated pit on the property and/or
 - c) Another Council approved equivalent.
21. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
22. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.

Melbourne Water Conditions

23. The dwellings must be constructed with finished floor levels a minimum of 300mm above the applicable flood level which is a minimum of 25.40 metres to Australian Height Datum (AHD).
24. The garages must be constructed with finished surface levels a minimum of 150mm above the applicable flood level which is a minimum of 25.25 metres to AHD.
25. No fill is permitted outside the proposed building envelopes with exception of the minimal ramping required for a vehicle to enter the proposed garages.
26. All new fencing (boundary or internal fencing) must be constructed of an open style construction with 50% of openings up to the applicable flood level.
27. Prior to building permit being issued, the depth of the footings must be adequate to satisfy the angle of repose relative to the drain as per Melbourne Water's Standard Drawing attached: 'Angle of Repose – Footing Design' for details.
28. The proposed development plans must not be altered without prior written consent from Melbourne Water.
29. Prior to the commencement of works a separate application, direct to Melbourne Water's Asset Services team, must be made for any new or modified stormwater connection to a Melbourne Water asset.
30. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
31. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

32. This permit will expire if one of the following circumstances applies:

- a) The development has not commenced within two years of the date of this permit.
- b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to above if a request is made in writing:-

- Before the permit expires; or
- Within 6 months afterwards if development has not commenced; or
- Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

- N1 Crossover permit
- N2 Building approval
- N6 Vehicle crossing removal
- N7 Retention of existing street trees
- N10 Asset Protection

Permits to be acquired

- i) Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- ii) A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.

Melbourne Water

- a) The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 25.10 metres to Australian Height Datum (AHD).
- b) If further information is required in relation to Melbourne Water's conditions shown above, please contact the Land Development on 9679 7517 quoting Melbourne Water's Reference **228573**.
- c) For the purpose of the Building Code of Australia – Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second. For further information please call us on 9679 7517.

CARRIED

4.3 21-27 HOLYROOD STREET, HAMPTON

Moved: Cr Long

Seconded: Cr Evans

That this matter be deferred to the next Planning and Amenity Committee to enable further consideration of the application and further consultation with the RSL.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Stewart, Long and Evans (3)
 AGAINST: Crs Heffernan, Frederico, Lowe and del Porto (4)

LOST

Moved: Cr Lowe

Seconded: Cr Frederico

That Council having caused notice of Planning Application No. 2014/4674/1 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 21-27 Holyrood Street HAMPTON for a two lot subdivision and reduction in car parking requirements in accordance with the application plans dated 26 February 2014, subject to the following conditions including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) A 2 metre wide drainage easement along the western boundary of Lot 2 in favour of Bayside City Council.
2. The subdivision on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Prior to the registration of the plan of subdivision, the owner must enter into an agreement with the Responsible Authority in accordance with Section 173 of the *Planning and Environment Act 1987*. The agreement will prohibit the use of the three rink bowling green adjacent to the eastern boundary of Lot 1 for both bowls practice and games at all times unless with the prior written consent of the Responsible Authority. The agreement must be registered on the title of the land in accordance with Section 181 of the *Planning and Environment Act 1987*.

The owner must pay all reasonable costs of the preparation, execution and registration of the S173 agreement.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

5. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the Relevant Authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.
6. The owner of the land must enter into an agreement with:
 - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
7. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
8. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
9. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the owner must construct a stormwater drain from the south west corner of Lot 1 to the Council drain pit in front of 15 Holyrood Street in accordance with plans and specifications prepared by and at the cost of the owner and approved by the Responsible Authority. The owner is to pay the Responsible Authority a plan checking fee and construction supervision fee as per the Subdivision (Fees) Interim Regulations 2014.
10. Before a Statement of Compliance is issued under the Subdivision Act 1988, the applicant or owner must pay to the Responsible Authority a sum equivalent to 5 per cent of the site value of all the land in the subdivision as a public open space contribution.
11. This permit will expire if:
 - a) The plan of subdivision is not certified within two years of the date of this permit.
 - b) The plan of subdivision is not registered within five years of the original date of certification.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Heffernan, Frederico, Lowe and del Porto (4)
 AGAINST: Crs Stewart, Long and Evans (3)

CARRIED

4.4 7 CHARLES STREET, BRIGHTON EAST

It is recorded that Cr Stewart vacated the Chamber at 8.03pm and re-entered the Chamber at 8.05.

Moved: Cr Heffernan

Seconded: Cr Evans

That Council having caused notice of Planning Application No. 2014/54/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 7 Charles Street, Brighton East, for the construction of a double storey dwelling to the rear of an existing single storey dwelling and the construction of a carport associated with the existing dwelling in accordance with the endorsed plans and subject to the following conditions:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The colour of both the proposed and the existing accessways.
 - b) All first floor habitable room windows of Dwelling 2 in compliance with Standard B22 of ResCode. In particular the east facing windows of bedroom two are required to be screened and the screening for the north facing windows is required to be detailed showing a maximum transparency of 25%.
 - c) The existing *Pittosporum undulatum* (Sweet Pittosporum) adjacent to the existing driveway retained on both the development and landscape plans.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. All pipes, fixtures, fittings and vents servicing the dwellings must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the dwellings without the written consent of the responsible authority.
5. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - a) A survey (including botanical names) of all existing vegetation to be retained and/or removed
 - b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary

- c) Details of surface finishes of pathways and driveways
- d) Details of water sensitive urban design elements to be incorporated and the plant species to be used
- e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- f) Landscaping and planting within all open areas of the site
- g) An in-ground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the Responsible Authority.

6. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.
8. Tree Protection Fencing is to be established around the street tree prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites. During construction of the crossover, tree protection fencing may be reduced to the edge of the council approved crossover to facilitate the construction of the crossover.
9. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
10. Vehicular crossing/s must be constructed to the road to suit the proposed driveway/s to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
11. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:-
 - a) The type of water sensitive urban design stormwater treatment measures to be used;
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections;

These plans must be accompanied by a report from an industry accepted performance measurement tool, which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

The water sensitive urban design stormwater treatment system as shown on the endorsed plan must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

12. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council standards.
13. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
14. Any seepage / agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain /Pit and not be discharged to the kerb and channel unless directed otherwise. The design must meet the requirements of Council's discharge of Pumped Subterranean Water Associated with Basements or Below-Ground Structures.
15. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either: a trench grate (150mm minimum internal width) located within the property and/or shaping the driveway so that water is collected in a grated pit on the property and/or another Council approved equivalent.
16. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
17. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.
18. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.The Responsible Authority may extend the periods referred to above if a request is made in writing:-
 - Before the permit expires; or
 - Within 6 months afterwards if development has not commenced; or
 - Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

Build over easement

There is no easement within the property.

Permits to be acquired

Construction of any fence/ wall/ letterbox structures may necessitate removal/ damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.

A 'Road Opening/ Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council drain/ kerb/ channel.

Flood zone

Property is not in a 'Flood Zone'

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Stewart, Evans, Heffernan, Frederico and Lowe (5)
AGAINST: Crs Long and del Porto (2)

CARRIED

4.5 5 CLARKSON AVENUE, BRIGHTON

Moved: Cr Heffernan

Seconded: Cr Frederico

That Council having caused notice of Planning Application No. 2014/538/1 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 5 Clarkson Avenue BRIGHTON, for alterations and additions to an existing dwelling on a lot less than 500 square metres in accordance with the application plans dated 22 July 2014, subject to the following conditions including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The tree protection zone in accordance with Condition 5.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the written consent of the Responsible Authority.
4. The wall on the boundary of the adjoining property shall be cleaned and finished to the satisfaction of the Responsible Authority.
5. Before the development starts, an Arborist Report in accordance with Australian Standard 4970-2009 (Protection of trees on development sites) must be submitted to and approved by the Responsible Authority. The report must include:
 - a) An assessment of existing trees where their Tree Protection Zone extends into the proposed work site area;
 - b) A tree protection methodology for the construction period in accordance with Australian Standard 4970-2009 (Protection of trees on development sites) and proposed footing locations for all excavations within tree protection zones.The arboricultural impact statement must demonstrate that retained trees will remain viable post construction.
6. Before the development begins, two sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged and approved by Council's Engineering Services department.
7. The permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to above if a request is made in writing:-

- Before the permit expires; or
- Within 6 months afterwards if development has not commenced; or
- Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

N2 Building approval

Build Over (Implied) Easement

Records indicate there is a Council asset at the rear of the property (an implied easement). There are proposals to build over or within 1m of the asset with a pergola, decking and bench seat. Proposals for building over or near the asset will require Build Over (implied) Easement approval from the Responsible Authority, prior to commencement as part of the Building Permit process.

CARRIED

4.6 360 NORTH ROAD, BRIGHTON EAST

It is recorded that Ms Elousie Kukovee spoke for three minutes in relation to this matter.

Moved: Cr Heffernan

Seconded: Cr Lowe

That Council having caused notice of Planning Application No. 2014/491/1 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 360 North Road BRIGHTON EAST, for the Use of the land for a medical centre (part of dwelling to be retained), minor buildings and works associated with a Section 2 Use and a reduction in the car parking requirements in accordance with the application dated 30/06/2014, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The mid wall within the existing double garage to be removed, and a new 5.6 metre wide garage door to be installed.
 - b) All pedestrian doors to the garage to be provided outwards.
 - c) The existing vehicle crossing to be removed, and a new 4.8 metre wide crossover to be constructed, centred to the garage door.
 - d) All car parking spaces to be clearly signed and/or line marked. The disabled space must be clearly line marked as per Australian Standards.
 - e) The bollard within the shared area to be moved to the west with at least 1.2 metres offset from the parking aisle.
 - f) The Telstra pits on Thomas Street to be relocated outside of the proposed new crossover at the rear of the site.
 - g) Adequate sight lines to be provided to the car parking area as per Design Standard 1 – Accessways.
 - h) The location and form of lighting within the car parking area, to be low level and/or baffled to ensure no light-spill to adjoining properties.
 - i) A landscape plan in accordance with Condition 11 of this planning permit
 - j) The notation of bollards or alternative vehicular barrier along the western boundary of the land between the proposed car spaces and the garage located on the neighbouring property.
2. The use and/or development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. The use may operate only between the hours of 8am-8pm Monday to Friday, and 9am-1pm Saturday.

4. No more than three (3) practitioners may operate from the site at any one time.
5. The lighting within the patient car park at the rear of the site to be in operation only during opening hours.
6. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the responsible authority.
7. Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather-seal coat;
 - d) Drained;
 - e) Line marked to indicate each car space and all access lanes;
 - f) Clearly marked to show the direction of traffic along access lanes and driveways;

To the satisfaction of the responsible authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

8. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the responsible authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the responsible authority.
9. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the responsible authority.
10. Concrete kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent direct vehicle access to Thomas Street other than via the vehicle crossing(s) shown on the endorsed plans.
11. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.

The plan must show:

- a) A survey including botanical names of all existing vegetation to be retained and/or removed
- b) Buildings and trees including botanical names on neighbouring properties within three metres of the boundary
- c) The provision of two canopy trees capable of reaching a height of at least 8 metres at maturity.
- d) Details of surface finishes of pathways and driveways

- e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- f) Landscaping and planting within all open areas of the site

All species selected must be to the satisfaction of the responsible authority.

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

- 12. Before the use/occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, *including that any dead, diseased or damaged plants are to be replaced.*
- 14. Before the development commences the applicant must pay \$3,039.65 to the Responsible Authority for the removal and replacement of the existing street tree(s). This amount has been determined in accordance with Council's current policy for the removal of street tree(s). This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree(s) has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree(s). Any replacement planting will be at the discretion of the Responsible Authority.
- 15. The street tree(s) to be removed must be replaced with an advanced tree(s) (minimum of two metres high at time of planting), of a species and in a location that are to the satisfaction of the responsible authority.
- 16. Replacement planting shall take place by July 31 of the year following the date of this permit unless the Responsible Authority consents in writing to a later date.
- 17. The proposed internal drainage must be connected to the existing legal point of discharge. The applicant may apply for legal point of discharge and local drain information, or carry out on site verification.
- 18. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
- 19. Any seepage / agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
- 20. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
- 21. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.

22. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two years of the date of this permit.
- b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to above if a request is made in writing:-

- Before the permit expires; or
- Within 6 months afterwards if development has not commenced; or
- Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

- N1 Crossover permit
- N2 Building Approval
- N4 No signs
- N6 Vehicle crossing removal

CARRIED

4.7 6 GEORGE STREET, HIGHETT

Moved: Cr Frederico

Seconded: Cr Long

That Council having caused notice of Planning Application No. 2014/358/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 6 George Street HIGHETT, for the construction of two double storey dwellings in accordance plans dated 19 September 2014, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received on 19 September 2014 but modified to show:
 - a) Bedroom 4 for dwelling 2 deleted. The bedroom may be relocated to the family/media room. Bedroom 3 may be increased in width but must be a minimum of 6.4m from the southern boundary.
 - b) The balcony for dwelling 2 deleted.
 - c) The southern first floor setback of dwelling 2 increased to a minimum of 4.5m for the bathroom, en-suite and walk in wardrobe without reducing other setbacks.
 - d) The first floor western wall of dwelling 1 setback a minimum of 3.68m from the boundary.
 - e) A notation on plan that the garage for dwelling 2 is to be constructed of pier and beam footings and that the floor level will be above grade and that an excavation for piers will be dug by hand.
 - f) A notation on plan that the driveway for the sections abutting Tree 2 and Tree 3 as identified in the Arborist report dated 3 September 2014 and prepared by Rosemont Nursery Landscaping will be constructed above grade to protect the root system.
 - g) Removal of the southern-most window on the eastern elevation of the living room of dwelling 1.
 - h) Provide a landscape bed abutting the southern side of the living room for dwelling 1 in accordance with Standard B15 of the Bayside planning Scheme.
 - i) Reduction of hard paving around the turning bay by replacing with landscaping/garden beds. The extent of hard paving shall be reduced to the minimum required to ensure vehicles can still exit in a forwards direction.
 - j) A landscape plan in accordance with condition 7 of this permit.
 - k) Tree protection fencing around the street tree as per condition 12 of this permit.

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the responsible authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the responsible authority.
4. All pipes, fixtures, fittings, air conditioning units and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the written consent of the Responsible Authority.
6. Vehicular crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the Responsible Authority and any redundant crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
7. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must be similar to the plan prepared by Rosemont Nursery Landscaping.

The plan must show:

- a) Removal of two crepe myrtle and replacement with two trees capable of reaching a minimum height of 12.0m at maturity.
- b) Screen planting along the south-west boundary of the site and relocation of the shed and wetland area.
- c) A survey including botanical names of all existing vegetation to be retained and/or removed
- d) Buildings and trees including botanical names on neighbouring properties within three metres of the boundary
- e) Details of surface finishes of pathways and driveways
- f) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- g) Landscaping and planting within all open areas of the site

All species selected must be to the satisfaction of the Responsible Authority.

8. Before the occupation of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

10. Any root pruning or canopy pruning required to accommodate the development must be done in accordance with AS 4373-2007 and by a qualified Arborist.
11. Any trenching or pipe connections undertaken within the Tree Protection Zone of Trees 6 as identified in the Arborist Report prepared by Rosemont Nursery Landscaping and must be undertaken under the supervision of a qualified Arborist.
12. Before the development (including demolition) starts, a tree protection fence must be erected around the two street trees and Trees 3-7 as identified in the Arborist Report prepared by Rosemont Nursery Landscaping dated 3 September 2014. The tree protection fence must encompass the dripline of the street trees and to the edge of Tree Protection Zones of Trees 3-7. The fences must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The fences must be in accordance with AS 4970-2009. The tree protection fences must remain in place until construction is completed and be a minimum height of 1.8 metres. During construction of areas within close proximity of the trees, tree protection fencing may be reduced to the minimum required to facilitate the construction of such parts.
13. The ground surface of the Tree Protection Zones must be covered by a 100 mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the Responsible Authority.
14. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zones without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zones.
15. In accordance with AS 4970-2009 (*Protection of Trees on Development Sites*) Section 4.3, signs identifying the TPZs are to be placed around the edge of the TPZ and must be visible from within the development site.
16. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council standards.
17. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
18. Any seepage/agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
19. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - a) A trench grate (150mm minimum internal width) located within the property; and/or
 - b) Shaping the driveway so that water is collected in a grated pit on the property; and/or
 - c) Another Council approved equivalent.

20. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
21. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.
22. This permit will expire if one of the following circumstances applies:
 - a) The development has not commenced within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.The Responsible Authority may extend the periods referred to above if a request is made in writing:-
 - Before the permit expires; or
 - Within 6 months afterwards if development has not commenced; or
 - Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

- N1 Crossover permit
- N2 Building approval
- N6 Vehicle crossing removal
- N7 Retention of existing street trees
- N10 Asset Protection

CARRIED

4.8 60 ARDOYNE STREET, BLACK ROCK

It is recorded that Ms Magdaline Loizou spoke for three minutes in relation to this matter.

Moved: Cr Stewart

Seconded: Cr Evans

That Council having caused notice of Planning Application No. 2014/133/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 60 Ardoyne Street, Black Rock, for the construction of two double storey dwellings and removal of native vegetation in accordance with the endorsed plans and subject to the following conditions:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The front fence reduced in height to a maximum of 1.2m.
 - b) The front setback increased at first floor level to a minimum 9.24m.
 - c) The garage associated with Dwelling 1 offset from the side western boundary by a minimum 2m.
 - d) The eastern wall generally bounding the living/dining/kitchen area of Dwelling 2 offset from the side eastern boundary by a minimum 2m.
 - e) The southern facing window to bedroom four of both dwellings screened in accordance with Standard B22 of Clause 55.04-6.
 - f) Visibility splays provided for driveways in accordance with Design Standard 1 of Clause 52.06-8.
 - g) The existing vehicle crossover servicing Dwelling 1 replaced with a new 3m wide crossover offset from the western property boundary by 1m and centred to the driveway. A minimum 1m separator is to be installed between this new crossover and the existing crossover at 58 Ardoyne Street.
 - h) The proposed vehicle crossover servicing Dwelling 2 eastern boundary offset increased by 110mm to 700mm.
 - i) An updated landscape plan reflective of the above changes and which also provides for a minimum three trees of 8m x 6m and two trees of 6m x 4m of which at least two are to be endemic/indigenous species and an additional two of which are to be native species.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. Before the development starts, a schedule of construction materials, external finishes and colours (incorporating paint samples) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.

4. Before the occupation of the site commences or by such later date as is approved in writing by the responsible authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the responsible authority.
5. All pipes, fixtures, fittings and vents servicing the dwellings must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
6. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the dwellings without the written consent of the responsible authority.
7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
8. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.
10. Tree Protection Fencing is to be established around the street tree prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites. During construction of the crossover, tree protection fencing may be reduced to the edge of the council approved crossover to facilitate the construction of the crossover.
11. Prior to soil excavation, a trench along the line of the proposed crossover must be dug by hand. All affected roots must be correctly pruned according to AS 4373-2007.
12. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:-
 - a) The type of water sensitive urban design stormwater treatment measures to be used;
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections;

These plans must be accompanied by a report from an industry accepted performance measurement tool, which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

The water sensitive urban design stormwater treatment system as shown on the endorsed plan must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

13. Vehicular crossing/s must be constructed to the road to suit the proposed driveway/s to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
14. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council standards.
15. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
16. Any seepage / agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain /Pit and not be discharged to the kerb and channel unless directed otherwise. The design must meet the requirements of Council's discharge of Pumped Subterranean Water Associated with Basements or Below-Ground Structures.
17. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either: a trench grate (150mm minimum internal width) located within the property and/or shaping the driveway so that water is collected in a grated pit on the property and/or another Council approved equivalent.
18. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
19. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.
20. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.The Responsible Authority may extend the periods referred to above if a request is made in writing:-
 - Before the permit expires; or
 - Within 6 months afterwards if development has not commenced; or
 - Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

Build over easement

There is no easement in the property. There is a Council asset (stormwater drain) that runs close to the western property boundary. Owner/developer to confirm location of the asset on site. Footings and foundations to any permanent structure near the Council asset must be; (a) at least 400mm away from the outside of the drain pipe, (b) founded at a minimum of 1.2m below the natural surface or 100mm below invert of the existing drain. All items proposed to be built over or within these acceptable clearance will require a formal application for Council's consent as part of the Building Permit process.

Permits to be acquired

Construction of any fence/ wall/ letterbox structures may necessitate removal/ damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.

A 'Road Opening/ Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council drain/ kerb/ channel.

Flood zone

Property is not in a 'Flood Zone'

CARRIED

4.9 100 BAMFIELD STREET, SANDRINGHAM

It is recorded that Mr Peter Tesdorpf and Mr Matthew Burt both spoke for three minutes in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Lowe

That Council, having caused notice of Planning Application No 2014/0232/1 to be given in accordance with Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required by Section 60 of the Act decides to Grant a Permit the application in respect of the land known and described as 100 Bamfield Street, Sandringham for construction of dwelling additions (including first floor additions) on a lot less than 500 square metres in accordance with the amended plans dated 5 August 2014, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:

1. Before the development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) A schedule of materials, external finishes and colours.
 - b) Reduction of the height of the dwelling to a maximum of 8 metres.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the responsible authority.
5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the responsible authority.
6. The existing street trees must not be removed or damaged.
7. All existing vegetation shown on the endorsed plans to be retained must not be removed, destroyed, pruned or lopped without the written consent of the responsible authority, all tree pruning must be carried out by a qualified Arborist to AS 4373, Pruning of Amenity Trees.

8. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to above if a request is made in writing:-

- Before the permit expires; or
- Within 6 months afterwards if development has not commenced; or
- Within 12 months afterwards if the development has lawfully commenced.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Evans, Heffernan, Frederico and Lowe (4)
 AGAINST: Crs Stweart, Long del Porto (3)

CARRIED

4.10 116 LUDSTONE STREET, HAMPTON

Moved: Cr Frederico

Seconded: Cr Stewart

That the Amended Plans be approved in accordance with the secondary consent provisions of Planning Permit No. 2007/804/1 issued for The construction of two (2) attached double storey dwellings at 116 Ludstone Street, Hampton, and the following table be added at the end of the permit.

20 January 2015	Amended plans under Secondary Consent to show: <ul style="list-style-type: none"> • Increase in the setback of the ground level western wall associated with the kitchen/dining/living areas of dwelling 2 by 375mm to accommodate a pipe along the western boundary
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CARRIED

4.11 6 CONNOR STREET, BRIGHTON EAST

Moved: Cr Frederico

Seconded: Cr Stewart

That the Amended Plans be approved in accordance with the secondary consent provisions of Planning Permit No. 2012/531/1 issued for the construction of two double storey dwellings at 6 Connor Street, Brighton East and the following table be added at the end of the permit.

Date Varied	Details
20 January 2015	Amendment to endorsed plans under Secondary Consent: <ul style="list-style-type: none"> • Alterations to the first floor, side, rear and front windows including: <ol style="list-style-type: none"> 1. The deletion of some full height windows and the erection of external screens across the remaining windows. 2. Alterations to the profiles of the timber shutters across the front windows. • Entry doors altered from single doors to double swing doors. • Kitchen and dining room sliding door and window profiles altered from single sash windows to lattice glazing.

CARRIED

4.12 24A IVY STREET, HAMPTON

It is recorded that Mrs Mary Youssef spoke for three minutes in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Lowe

That the Amended Plans be approved in accordance with the secondary consent provisions of Planning Permit No. 2001/7046/1 issued for the construction of two (2) double storey dwellings at 24 Ivy Street, Hampton, and the following table be added at the end of the permit.

20 January 2015	Amended plans under Secondary Consent to show: <ul style="list-style-type: none"> • Addition of a swimming pool and associated pool equipment at 24A Ivy Street Hampton.
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CARRIED

The Chairman declared the meeting closed at 8.51pm.

CONFIRMED THIS 10 DAY OF FEBRUARY 2015

CHAIRPERSON:

